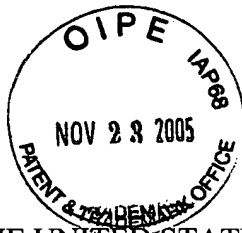


03650.001047



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: A. Alavi
TODD NEWMAN)	
	:	Group Art Unit: 2621
Application No.: 10/032,488)	
	:	
Filed: January 2, 2002)	
	:	
For: SPARSE REPRESENTATION)	
OF EXTENDED GAMUT	:	November 22, 2005
IMAGES)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Sir:

This is a comment on the Examiner's Statement of Reasons for Allowance as found in the Notice of Allowability dated October 18, 2005.

The Examiner's reasons state that the invention is "directed to a method for using data stored in a data storage format ...". It is respectfully stressed that the allowed claims are not directed solely to a method. Rather, the allowed claims are directed to the statutory classes specifically enumerated in the claims themselves.

The Examiner's Statement of Reasons for Allowance further states that the closest prior art fails to anticipate or render obvious certain "underlined limitations". In keeping with the "as a whole" inquiry, it is believed that this is merely shorthand for the correct legal inquiry, and that the Examiner intended to state that the combination as claimed, including the subject matter that had been "underlined", was not anticipated and

would not have been rendered obvious by the art of record. However, if the Examiner intended a different meaning, he is respectfully requested to clarify his meaning on the record.

Even though this paper is being filed after allowance, it cannot properly be said that Applicant has "failed to engage in reasonable efforts to conclude prosecution of the application" (see 35 U.S.C. § 154). Accordingly, Applicant should not be penalized with a reduction in patent term in spite of the provisions of 37 C.F.R. § 1.704(c)(10).

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", is written over a horizontal line.

Attorney for Applicant
Michael K. O'Neill
Registration No. 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 104224v1